

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEITH WAYNE CANDLER,

Plaintiff,

v.

J.S. WOODFORD, et al.,

Defendants.

) No. C 04-5453 MMC (PR)

) **ORDER DENYING REQUEST FOR**  
) **TRO OR PRELIMINARY**  
) **INJUNCTION; DENYING REQUEST**  
) **FOR DISCOVERY**

) (Docket Nos. 11 & 13)

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Keith Wayne Candler, proceeding pro se and currently incarcerated in Salinas Valley State Prison (“SVSP”), filed the above-titled civil rights action under 42 U.S.C. § 1983 against various SVSP officials. The Court found cognizable plaintiff’s claims of excessive force against various defendants. Plaintiff has filed a motion for a temporary restraining order (“TRO”) or preliminary injunction against numerous SVSP officials, seeking to prohibit them from using a certain restraint device on inmates. Plaintiff has neither complied with the notice requirement of Rule 65(a)(1) of the Federal Rules of Civil Procedure, nor certified the reasons for his not providing such notice, as required by Rule 65(b) of the Federal Rules of Civil Procedure. Accordingly, plaintiff’s request for a TRO or a preliminary injunction is DENIED.

Plaintiff has also filed with the Court a letter requesting discovery of documents from defendants. Plaintiff must not file discovery requests with the Court; discovery requests are to

1 be served only on the opposing party, unless otherwise ordered by the Court. See Fed. R. Civ.  
2 P. 5(d).<sup>1</sup> Accordingly, plaintiff's request for production of documents is DENIED.

3 This order terminates Docket Nos. 11 & 13.

4 IT IS SO ORDERED.

5 DATED: June 29, 2005

6 /s/ Maxine M. Chesney  
7 MAXINE M. CHESNEY  
8 United States District Judge  
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27 <sup>1</sup>If, however, plaintiff thereafter files a motion to compel, after satisfying the "meet and  
28 confer" requirements of the discovery rules, see Fed. R. Civ. P. 37(a)(2)(A), plaintiff may  
attach his discovery requests as exhibits to such motion.